

STATE OF CALIFORNIA
Division of Workers' Compensation
Workers' Compensation Appeals Board

Jonathan Shockley

Applicant,

vs.

Biotelemetry, Inc. dba Cardionet, LLC; Chubb

Defendants.

Case No. ADJ

ADJ12031731

[] **JOINT**
ORDER APPROVING
COMPROMISE AND RELEASE

The parties to the above-entitled action have filed the Compromise and Release and have waived the provisions of *Labor Code* 5313. Based upon a review of the medical file, discussion with the parties, and the reasons for settlement set forth in the agreement, the Compromise and Release is deemed adequate. In determining the adequacy of the Agreement, the following has also been considered:

- ☒ The court has considered the applicant's dependent's rights to death benefits in determining the adequacy of the Compromise and Release. *Sumner v. WCAB*, 48 CCC 369
- [] The Compromise and Release lists good faith issues of law and/or fact that if resolved against the applicant would defeat the applicant's right to compensation in whole or in part. *Thomas v. Sports Chalet, Inc.* 42 CCC 625 / *Beltran v. Structural Steel Fabricators* 81 CCC 1224
- [] The court has considered the characterization of proceeds in the Social Security Addendum. The court adopts, incorporates and accepts said addendum and finds net recovery of \$_____ is equivalent to the sum of \$_____ per month, for future earning capacity, based on a life expectancy of _____ years.
- [] Parties to meet and confer regarding potential SJDB voucher eligibility.
- [] Applicant's: [] Claim pursuant to Labor Code 132a; [] Serious and Willful Petition; is dismissed.
- [] _____.

IT IS ORDERED that said Compromise and Release is approved. Award is made in favor of Applicant and against CHUBB INDEMNITY INSURANCE CO. payable as follows:

Total Settlement amount.....	\$ 52,000.00
Less permanent disability advances through <u>05/13/22</u> in the amount of	\$ <u>17,731.43</u>
Less _____	\$ _____
Less _____	\$ _____
Less reasonable attorney fees in the amount of	\$ 7,800.00
payable to <u>ZACHARY KWELLER - PACIFIC WORKERS</u> and [] to be held in trust by	
[] Defendant or [] _____ pending agreement between counsel or further order of the court.	
Balance to be paid to applicant	\$ <u>26,468.57</u>

DATE: July 14, 2022


Christopher Miller
WORKERS' COMPENSATION
ADMINISTRATIVE LAW JUDGE

☐ PERSONAL SERVICE Rule §10628(b) and/or ☒ NOTICE TO: Colantoni, et al. Pursuant to Rule §10629 you are designated to serve this/these document(s) on all parties shown on the Official Address Record.
Date: 7/14/22 By: CM